

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

**FILED**  
04 JAN 13 PM 3:13  
U.S. DISTRICT COURT  
N.D. OF ALABAMA

JEFFERY BRYANT, )

PLAINTIFF, )

VS. )

CV-03-H-2569-S

MUSIC ELECTRIC CO., INC., and )

UNI-MED HEALTH PLANS, )

DEFENDANT. )

*Jm*  
**ENTERED**  
JAN 13 2004

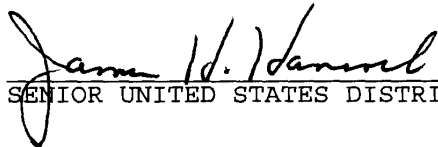
**MEMORANDUM OF DECISION**

Plaintiff filed his complaint in the Circuit Court of Jefferson County, Alabama on August 12, 2003. An effort to serve defendant Uni-Med Health Plans by certified mail was returned to the Circuit Court August 27, 2003 by the United States Postal Service marked "not deliverable as addressed." Defendant Music Electric Company, Inc. was served by certified mail and timely removed the action to this court on September 19, 2003. On September 24, 2003 this court entered an order to the effect that any defendant not served with a summons and complaint by December 20, 2003 would be dismissed, without further notice to the parties, unless by such time good cause is shown why service has not been made. The record before the court does not reflect any further effort in the Circuit Court of Jefferson County, or this court, to serve Uni-Med Health Plans and does not reflect any good cause why such service has not been made.

8

A separate order will be entered dismissing Uni-Med Health Plans as a party to this action.

DONE this 13<sup>th</sup> day of January, 2004.

  
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SENIOR UNITED STATES DISTRICT JUDGE